

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Olga Bentin	Team: Squad #4	CCRB Case #: 201609351	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Wednesday, 11/09/2016 1:34 AM	Location of Incident: 7th Avenue and West 56th Street	Precinct: 18	18 Mo. SOL 5/9/2018	EO SOL 5/9/2018	
Date/Time CV Reported Thu, 11/10/2016 8:32 AM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Thu, 11/10/2016 8:32 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Adam Elmaadawy	10563	956618	071 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Adam Elmaadawy	Discourtesy: Police Officer Adam El-Maadawy spoke discourteously to § 87(2)(b) and § 87(2)(b)	
B.POM Adam Elmaadawy	Abuse: Police Officer Adam El-Maadawy refused to provide his name and shield number to § 87(2)(b)	

Case Summary

On November 10, 2016, § 87(2)(b) called the CCRB and filed this complaint.

On November 9, 2016, at approximately 1:34 a.m., § 87(2)(b) and her roommate, § 87(2)(b) were marching with a group of other individuals who were protesting against President-elect Donald Trump. § 87(2)(b) and § 87(2)(b) were walking in the vicinity of West 56th Street and 7th Avenue in Manhattan when they passed by an officer, identified via investigation as PO Adam El-Maadawy of the 71st Precinct, who said to them, “Kill yourselves, go home” (**Allegation A**).

§ 87(2)(b) turned around, approached PO El-Maadawy, and asked him for his name and shield number (**Allegation B**). PO El-Maadawy complied with § 87(2)(b)'s request and provided his name to her. Because the protesters were chanting anti-Trump slogans, § 87(2)(b) could not hear PO El-Maadawy's name clearly. Therefore, § 87(2)(b) got a cell phone out of her pocket in order to take a photograph of PO El-Maadawy's shield. When PO El-Maadawy saw that § 87(2)(b) took out her cell phone and wanted to take a photograph of his shield, he then turned around and proceeded to walk away as if he did not wish a photograph to be taken (**Subsumed in Allegation B**). § 87(2)(b) still managed to take a photograph of PO El-Maadawy's shield. Afterwards, § 87(2)(b) and § 87(2)(b) continued to protest.

§ 87(2)(b) and § 87(2)(b) were not arrested or issued any summons as the result of this incident.

§ 87(2)(b) provided a video recording of this incident and a photograph of PO El-Maadawy's shield to the investigation. The full video recording is located in, and can be viewed from, Investigative Action #12 (BR09). Two SnagIt videos are located in, and can be viewed from, Investigative Actions #38 (BR11) and #39 (BR12).



§ 87(2)(b) Video 1.mp4



§ 87(2)(b) Video 2.mp4

Mediation, Civil and Criminal Histories

- § 87(2)(b) rejected mediation.
- As of December 2, 2016, no Notice of Claim has been filed (BR10).
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

Civilian and Officer CCRB Histories

- This is § 87(2)(b)'s first CCRB complaint (BR03).
- This is § 87(2)(b)'s first CCRB complaint (BR04).
- PO Adam El-Maadawy has been a member of service for two years and has one previous CCRB allegation stemming from one complaint that was made against him, § 87(2)(g)

§ 87(2)(b)

Findings and Recommendations

Allegation A-Discourtesy: Police Officer Adam El-Maadawy spoke discourteously to

§ 87(2)(b) and § 87(2)(b)

§ 87(2)(b) (BR01) stated that on November 9, 2016, at approximately 1:34 a.m., she and her roommate, § 87(2)(b) were marching with a group of approximately 400 unidentified individuals who were protesting against President-elect Donald Trump in Midtown Manhattan. § 87(2)(b) and § 87(2)(b) were walking in the vicinity of West 56th Street and 7th Avenue when they passed by an officer, PO Adam El-Maadawy, who then said to them, “Kill yourselves, go home.” PO El-Maadawy was standing on the sidewalk, which was approximately three feet away from § 87(2)(b) when he made the statement. When § 87(2)(b) heard the comment, she was not sure where it was coming from. She turned around to look and saw that it was PO El-Maadawy. § 87(2)(b) did not remember if there were any other officers standing in the vicinity of PO El-Maadawy. § 87(2)(b) did not know if the other individuals who were walking alongside her and § 87(2)(b) heard the statement. § 87(2)(b) did not learn the names of the other individuals.

During the protest, § 87(2)(b) was recording a video on her cell phone. At some point, she placed her cell phone in the pocket not knowing that it was still recording. Only later, § 87(2)(b) and § 87(2)(b) realized that § 87(2)(b) recorded the allegation.

§ 87(2)(b) (BR02) corroborated § 87(2)(b)'s statement in that she heard an officer, who she identified as PO El-Maadawy, yell out to her and § 87(2)(b) that they should kill themselves. § 87(2)(b) observed two other officers standing approximately ten feet away from PO El-Maadawy when he made the statement. § 87(2)(b) stated that those officers could have overheard PO El-Maadawy's comments; however, she could not describe those officers.

The video recording # § 87(2)(b) Video_1 (BR11) has no video component because at the time of the recording § 87(2)(b)'s cell phone was in her pocket. The video recording begins with muffled female and male voices on the background, and § 87(2)(b) saying that there is no real protest. At 00:04 minute mark, a male voice says, “Kill yourselves, go home.” The video does not depict the male speaker but only his voice.

PO El-Maadawy (BR07) testified that on November 9, 2016, he was assigned to a foot post at the corner of 7th Avenue and West 57th Street in Manhattan during a protest against President-elect Donald Trump. PO El-Maadawy's assignment was not to allow the protesters to move towards the Trump Tower. PO El-Maadawy denied saying to § 87(2)(b) or any other protesters, “Kill yourselves, go home,” nor did he make any statements similar in nature.

PO El-Maadawy testified that there were two other officers standing in his vicinity. He did not know who those officers were. PO El-Maadawy did not hear if any other officer ever told to any protesters to kill themselves at any point during the incident. PO El-Maadawy was shown the video recording (BR11), and could not identify the voice saying, “Kill yourselves, go home.”

§ 87(2)(g)

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Allegation B-Abuse of Authority: Police Officer Adam El-Maadawy refused to provide his name and shield number to § 87(2)(b)

§ 87(2)(b) (BR01) stated that after PO El-Maadawy told her and § 87(2)(b) to kill themselves, she immediately approached him, and asked him for his name and shield number. § 87(2)(b) did not approach PO El-Maadawy. PO El-Maadawy provided his name to § 87(2)(b) however, the crowd was chanting anti-Trump slogans which made it difficult for § 87(2)(b) to hear PO El-Maadawy's name clearly. § 87(2)(b) then pulled out her cell phone in order to take a photograph of PO El-Maadawy's shield. When PO El-Maadawy saw that § 87(2)(b) got her cell phone and wanted to take a photograph, he then turned around and walked away as if he did want a photograph to be taken. § 87(2)(b) still managed to take a photograph of PO El-Maadawy's shield (BR08).

§ 87(2)(b) (BR02) corroborated § 87(2)(b)'s statement. § 87(2)(b) stated that § 87(2)(b) immediately approached PO El-Maadawy, and asked him for his name and shield number after he told them to kill themselves. § 87(2)(b) heard that PO El-Maadawy provided his name to § 87(2)(b). § 87(2)(b) then got a cell phone out of her pocket and took a photograph of PO El-Maadawy's shield.

The video recording # § 87(2)(b) Video_2 begins with § 87(2)(b) saying, "Sir, sir, sir, may I have your badge number." (This part of the video recording has no video component, because § 87(2)(b)'s cell phone is in the pocket of her jacket). At 2:48 minute mark, § 87(2)(b) takes her cell phone out of the pocket, and the video recording captures a dark male silhouette who says, "El-Maadawy, 1..." The video recording ends abruptly.

PO El-Maadawy (BR07) testified that during the protest a female individual, § 87(2)(b) approached him and asked him for his name and shield number. PO El-Maadawy pointed at his shield and said to § 87(2)(b) "El-Maadawy, 10563." § 87(2)(b) never explained to PO El-Maadawy why she requested his information, nor did PO El-Maadawy ask her why she asked for his name and shield number. § 87(2)(b) also pulled out her cell phone and took a photograph of PO El-Maadawy's shield during the incident. PO El-Maadawy did not turn around and walk away, nor did he obstruct his shield from § 87(2)(b)'s view in any manner while she was taking a photograph.

PO El-Maadawy reviewed the video recording (BR12) and recognized his voice at 00:14 minute mark when he said, "El-Maadawy, 1..."

§ 87(2)(g)
[REDACTED]

Squad: 4

Investigator: _____
Signature Print Date

Squad Leader: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date